

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

RETZLAFF GRAIN COMPANY, INC.,

Plaintiff,

vs.

JORDAN EGGLI, CHAD NEEDHAM,  
CRYSTAL KONECKY, ROBB KIGER,  
and NORAG LLC,

Defendants.

8:20CV289

AMENDED  
CASE PROGRESSION ORDER

This matter is before the Court on the plaintiff's Unopposed Text Email Motion to Extend Deadlines in the Case Progression Order (Filing No. 92). After a review of the motion and for good cause shown,

**IT IS ORDERED** that the **plaintiff's** Unopposed Text Email Motion to Extend Deadlines in the Case Progression Order (Filing No. 92) is granted and the case progression order is amended as follows:

- 1) Defendants' deadline for moving to amend pleadings or add parties is **December 18, 2020**. Plaintiffs' deadline to move to amend pleadings or add parties has already passed.
- 2) Plaintiff's deadline for identifying expert witnesses expected to testify at trial, (both retained experts, ([Fed. R. Civ. P. 26\(a\)\(2\)\(B\)](#)), and non-retained experts, ([Fed. R. Civ. P. 26\(a\)\(2\)\(C\)](#)), is **June 14, 2021**. Defendants' deadline for identifying expert witnesses expected to testify at trial, (both retained experts, ([Fed. R. Civ. P. 26\(a\)\(2\)\(B\)](#)), and non-retained experts, ([Fed. R. Civ. P. 26\(a\)\(2\)\(C\)](#)), is **July 29, 2021**.
- 3) Plaintiff's deadline for completing expert disclosures for all experts expected to testify at trial, (both retained experts, ([Fed. R. Civ. P. 26\(a\)\(2\)\(B\)](#)), and non-retained experts, ([Fed. R. Civ. P. 26\(a\)\(2\)\(C\)](#)), is **July 15, 2021**. Defendants' deadline for completing expert disclosures for all experts expected to testify at trial, (both retained experts, ([Fed. R. Civ. P. 26\(a\)\(2\)\(B\)](#)), and non-retained experts, ([Fed. R. Civ. P. 26\(a\)\(2\)\(C\)](#)), is **August 30, 2021**.
- 4) The deadline for completing written discovery under Rules 33, 34, 36, and 45 of the Federal Rules of Civil Procedure for the remainder of the case is **September 1, 2021**. Motions to compel written discovery under Rules 33, 34, 36, and 45 must be filed by **September 15, 2021**.

**Note:** A motion to compel, to quash, or for a disputed protective order shall not be filed without first contacting the chambers of the undersigned magistrate judge on or before the motion to compel deadline to set a conference to discuss the parties' dispute, and after being granted leave to do so by the Court.

- 5) Rebuttal expert shall be designated by **September 15, 2021**. Rebuttal expert reports shall be served by **September 30, 2021**.
- 6) The deposition deadline, including but not limited to depositions for oral testimony only under Rule 45, is **September 30, 2021**.

The maximum number of depositions that may be taken by the plaintiffs as a group and the defendants as a group is **ten (10)**.

- 7) The planning conference scheduled for April 2, 2021, is cancelled. The trial and pretrial conference will not be set at this time. A planning conference to discuss case progression, dispositive motions, the parties' interest in settlement, and the trial and pretrial conference settings will be held with the undersigned magistrate judge on **October 1, 2021, at 11:30 a.m.** by telephone. Counsel shall use the conferencing instructions assigned to this case to participate in the conference.
- 8) The deadline for filing motions to exclude testimony on *Daubert* and related grounds is **October 15, 2021**.
- 9) The deadline for filing motions to dismiss and motions for summary judgment is **January 19, 2022**.
- 10) The parties shall comply with all other stipulations and agreements recited in their Rule 26(f) planning report that are not inconsistent with this order.
- 11) All requests for changes of deadlines or settings established herein shall be directed to the undersigned magistrate judge. Such requests will not be considered absent a showing of due diligence in the timely progression of this case and the recent development of circumstances, unanticipated prior to the filing of the motion, which require that additional time be allowed.

Dated this 11<sup>th</sup> day of December, 2020.

BY THE COURT:

s/Michael D. Nelson  
United States Magistrate Judge